REMARKS

The Examiner provides a number of rejections and we list them here in the order in which they are addressed:

I. Claims 1-6 and 19-24 are rejected under 35 USC § 102(b) as allegedly being anticipated by WO 99/13116.

II. Claims 7 and 25 are rejected under 35 USC § 103(a) as allegedly being unpatentable over WO 99/13116 in view of The Merck Index (entry no. 2257).

I. The Claims Are Not Anticipated

As the Examiner is well aware, a single reference must disclose each limitation of a claim in order for that reference to anticipate the claim. *Atlas Powder Co. v. E.I. du Pont De Nemours & Co.*, 224 U.S.P.Q. 409, 411 (Fed. Cir. 1984). This criterion is not met with the WO 99/13116 reference.

The Examiner states that "WO 99/13116 explicitly discloses contacting a silver thiosulfate solution with an ion exchange resin with an amine functionality ... [such that] ... [t]he claims are thereby anticipated ... from the above discussion." *Office Action pg. 2-3.* The Applicants disagree because WO 99/13116 does not teach a silver thiosulfate complex having a thiosulfate ion-to-silver molar ratio of less than 3:1, 1:1, or 1.3:1. Further, the Examiner admits that Claims 26-28, that recite these molar ratio limitations, are allowable (i.e., not anticipated nor obvious under the present rejections) if written in independent claim form. *Office Action pg 5.*

Nonetheless, without acquiescing to the Examiner's argument but to further the prosecution, and hereby expressly reserving the right to prosecute the original (or similar) claims, Applicants have amended Claim 1 and Claim 19 to recite thiosulfate ion-to-silver molar ratios of "less than 1:3, 1:1, and 1.3:1". Concomitantly, Claims 26-28 are canceled.

WO 99/13116 also does not teach i) wound dressings; ii) apparatus comprising a medical device; iii) treating infections; or iv) treating wounds. As suggested by the Examiner, Claims 8, 10, 16, 17 & 18 have been amended to explicitly reflect their previous Claim 1 dependency in an independent claim form. *Office Action, pg. 5.* The Applicant also has replaced "so" for "such" for the convenience of the Examiner. *Office Action pg 5.*

These amendments are made not to acquiesce to the Examiner's argument but only to further the Applicants' business interests, better define one embodiment and expedite the prosecution of this application.

The Applicants respectfully request the Examiner withdraw the present rejection.

II. The Claims Are Not *Prima Facie* Obvious Under WO '116 & Merck Index

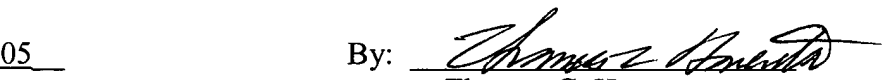
The Examiner states that Claims 7 and 25 "... would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, because every element of the invention and the claims invention as a whole have been fairly disclosed or suggested by the teachings of the cited references". *Office Action, pg. 4-5.* The Applicants disagree and argue that this rejection is now moot in view of the above claim amendments. Specifically, neither reference teaches thiosulfate ion-to-silver molar ratios of less than 3:1, 1:1, or 1.3:1.

The Applicants respectfully request the Examiner withdraw the present rejection.

CONCLUSION

The Applicants believe that the arguments and claim amendments set forth above traverse the Examiner's rejections and, therefore, request that all grounds for rejection be withdrawn for the reasons set above. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicants encourage the Examiner to call the undersigned collect at 617.984.0616.

Date: November 21, 2005

By: 

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